

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD

SUITE 500 EAST

FALLS CHURCH, VA 22042-1210

USA

(703) 205-8000

FAX: (703) 205-8050

(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com

web: <http://www.bskb.com>

CALIFORNIA OFFICE

COSTA MESA, CALIFORNIA

SCOTT L. LOWE
PAUL C. LEWIS
RICHARD J. GALLAGHER
JAYNE M. SAYDAH*
MARYANNE ARMSTRONG
KECIA J. REYNOLDS
ROBERT L. SCOTT, II
KALPANA REDDY
MARK E. OLDS
ESTHER H. CHONG
CATHERINE M. VOISINET*
EUGENE T. PEREZ

REG. PATENT AGENTS.
FREDERICK R. HANDREN
MAKI HATSUMI
CRAIG A. McROBBIE
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
KRISTI L. RUPERT, PH.D.
MATTHEW T. SHANLEY
SUSAN W. GORMAN, PH.D.
DAVID J. CHO
ROBERT W. DOWNS

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
BERNARD L. SWEENEY*
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. NUELLE, PH.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT
JAMES W. HELLWEGE

*ADMITTED TO A BAR OTHER THAN VA



Date: November 13, 2001

Docket No.: 1422-0502P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/262,856 filed on March 4, 1999,
the entire contents of which are hereby incorporated by
reference,
by

TAKESANO, Kazutoh; MIZUTANI, Shigetoshi; ENDO, Masahiro and KATO,
Ikunoshin

for

FUNGAL ANTIGENS AND PROCESS FOR PRODUCING THE SAME

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

3. ☒ A check in the amount of \$1374.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Amend the specification by inserting before the first line thereof the following:

a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. , filed on , which was a continuation-in-part application of , the entire contents of which are hereby incorporated by reference; and this application claims priority of Application No. filed in on and Application No. filed in on under 35 U.S.C. § 119.--

b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. , filed on and for which priority is claimed under 35 U.S.C. § 120. Application No. is the national phase of PCT International Application No. filed on ____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. filed in on under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are Nine (9) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/262,856 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to TAKARA SHUZO CO., LTD., Kyoto, Japan.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). 8-255400 and 9-99775 filed in Japan on 09/04/1996 and 03/31/1997 are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on March 4, 1999.
- 10b. ☒ Priority of International Appln. PCT/JP97/03041 filed on August 29, 1997 under the Patent Cooperation Treaty and Application Nos. 8-25400 and 9-99775 filed in Japan on 09/04/1996 and 03/31/1997, respectively under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000


or
Customer No. 2292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/262,856 in order to establish co-pendency with the present application.
14. ☒ Also enclosed herewith is the following:

Letter submitting Sequence Listing Diskette

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181

MSW/CAM:bmp
1422-0502P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments

(Rev. 09/26/01)

IN THE U.S. PATENT AND TRADEMARK OFFICE

DISK TRANSMITTAL LETTER

Applicant: TAKESAKO, Kazutoh et al.
Appl. No.: UNASSIGNED Group: UNASSIGNED
Filed: October 26, 2001 Examiner: UNASSIGNED
For: FUNGAL ANTIGENS AND PROCESS FOR PRODUCING THE SAME


The application identified above contains one (1) diskette with the computer readable copy of the Sequence Listing as required by §1.821(e). The file contained on the diskette is as follows:

File Name	Date of Creation	File Size
1422-0502P.ST25.txt	October 24, 2001	14.2 KB

The computer readable form of the Sequence Listing is identical to the paper copy except that it lacks formatting.

If there are any problems concerning the Disk Submission, please contact the undersigned at telephone number 703-205-8000 or by facsimile at 703-205-8050.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  Date: 11/13/01
Marc S. Weiner, Reg. No. 32,181

Cam
MSW/CAM:bef
1422-0502P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000